

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LUMINITA HIX,

Plaintiff,

v.

CASE NO. 10-12366

HON. PATRICK J. DUGGAN

FORMER PRESIDENT GEORGE BUSH,

Defendant.

ORDER OF DISMISSAL AND JUDGMENT

On June 15, 2010, Plaintiff Luminita Hix ("Plaintiff") filed a *pro se* complaint against former President George Bush in which she seeks a restraining order. Plaintiff states in her complaint that her lawsuit is based on "intimidation, defamation of character, invasion of privacy, sabotages [sic], stalking, slander, bodily harm and intended murder." (Doc. 1.) Plaintiff has been granted leave to proceed without prepayment of the filing fee and costs for this action.

28 U.S.C. § 1915 requires a court to dismiss a case in which the plaintiff proceeds in forma pauperis "at any time if the court determines that . . . (B) the action or appeal— (i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief." 28 U.S.C. § 1915(e)(2)(B). A complaint is frivolous if it lacks an arguable basis in law or in fact. *Neitzke v. Williams*, 490 U.S. 319, 325, 109 S. Ct. 1827, 1831-32 (1989). The term "frivolous" "embraces not only the inarguable legal conclusion, but also the fanciful factual allegation." *Id.* at 325, 109 S.Ct. at 1832. Examples of baseless factual contentions are claims describing fantastic or delusional scenarios. *Id.* at 328, 109 S. Ct.

at 1833.

Plaintiff's complaint is frivolous as it contains fanciful factual allegations. Plaintiff alleges that former President Bush used her as part of a "government experience" when, with the help of Plaintiff's sister, he entered her home at night, used a chemical to put her into a deep sleep, and implanted a lapband in her to lose weight. Plaintiff also alleges that former President Bush sold songs to the entertainment industry that she authored, such as "No One" by Alicia Keys, "Temptation Comes to All" by Madonna, "Under My Umbrella" by Rhyanna [sic], and "If You Seek Amy" by Britney Spears. Plaintiff claims to have exposed and intervened in a number of terror plots against the United States, including presidential assassination plots, Bin Laden's second plot of attack, and stopping bombs from Iran. As well, Plaintiff claims that former President Bush seized materials that she authored, including various books, articles, pamphlets, and movies. In short, Plaintiff's pleading is delusional and lacks "a short and plain statement" of claims showing that Plaintiff is entitled to relief. Fed. R. Civ. P. 8(a)(2).

Accordingly,

IT IS ORDERED, that Plaintiff's complaint is **DISMISSED WITH PREJUDICE** pursuant to 28 U.S.C. §§ 1915(e)(2)(b).

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copy to:
Luminita Hix
26 Peterboro
Detroit, MI 48201